

**THIS OBJECTION SEEKS TO DISALLOW AND EXPUNGE CERTAIN  
FILED PROOFS OF CLAIM. PARTIES RECEIVING THIS NOTICE OF  
DEBTORS' ONE HUNDRED NINETY-NINTH OMNIBUS OBJECTION  
TO CLAIMS SHOULD REVIEW THE OMNIBUS OBJECTION TO SEE IF  
THEIR NAME(S) AND/OR CLAIM(S) ARE LOCATED IN THE OMNIBUS  
OBJECTION AND/OR IN THE EXHIBIT ATTACHED THERETO TO  
DETERMINE WHETHER THIS OBJECTION AFFECTS THEIR  
CLAIM(S).**

**IF YOU HAVE QUESTIONS, PLEASE CONTACT  
DEBTORS' COUNSEL, ERIN ECKOLS, AT 214-746-7700.**

WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
New York, New York 10153  
Telephone: (212) 310-8000  
Facsimile: (212) 310-8007  
Robert J. Lemons

Attorneys for Debtors  
and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**In re** : Chapter 11 Case No.  
: **08-13555 (JMP)**  
**LEHMAN BROTHERS HOLDINGS INC., et al.,** :  
: (Jointly Administered)  
**Debtors.** :  
-----X

**NOTICE OF HEARING ON DEBTORS' ONE HUNDRED NINETY-NINTH  
OMNIBUS OBJECTION TO CLAIMS (NO LIABILITY CLAIMS)**

**PLEASE TAKE NOTICE** that on September 13, 2011, Lehman Brothers Holdings Inc. and its affiliated debtors in the above-referenced chapter 11 cases, as debtors and debtors in possession (collectively, the "Debtors"), filed their one hundred ninety-ninth omnibus objection to claims (the "Debtors' One Hundred Ninety-Ninth Omnibus Objection to Claims"),

and that a hearing (the “Hearing”) to consider the Debtors’ One Hundred Ninety-Ninth Omnibus Objection to Claims will be held before the Honorable James M. Peck, United States Bankruptcy Judge, in Courtroom 601 of the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004, on **October 27, 2011 at 10:00 a.m. (Eastern Time)**, or as soon thereafter as counsel may be heard.

**PLEASE TAKE FURTHER NOTICE** that any responses to the Debtors’ One Hundred Ninety-Ninth Omnibus Objection to Claims must be in writing, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of the Bankruptcy Court, and shall be filed with the Bankruptcy Court (a) electronically in accordance with General Order M-399 (which can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov)) by registered users of the Bankruptcy Court’s filing system, and (b) by all other parties in interest, on a 3.5 inch disk, preferably in Portable Document Format (PDF), WordPerfect, or any other Windows-based word processing format (with a hard copy delivered directly to Chambers), in accordance with General Order M-182 (which can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov)), and served in accordance with General Order M-399, and on (i) the chambers of the Honorable James M. Peck, One Bowling Green, New York, New York 10004, Courtroom 601; (ii) attorneys for the Debtors, Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, New York 10153 (Attn: Robert J. Lemons, Esq. and Mark Bernstein, Esq.); (iii) the Office of the United States Trustee for Region 2, 33 Whitehall Street, 21st Floor, New York, New York 10004 (Attn: Tracy Hope Davis, Esq., Elisabeth Gasparini, Esq., and Andrea Schwartz, Esq.); and (iv) attorneys for the official committee of unsecured creditors appointed in these cases, Milbank, Tweed, Hadley & McCloy LLP, 1 Chase Manhattan Plaza, New York, New York 10005 (Attn: Dennis F. Dunne, Esq., Dennis O’Donnell, Esq., and

Evan Fleck, Esq.); so as to be so filed and received by no later than **October 13, 2011 at 4:00 p.m. (Eastern Time)** (the “Response Deadline”).

**PLEASE TAKE FURTHER NOTICE** that if no responses are timely filed and served with respect to the Debtors’ One Hundred Ninety-Ninth Omnibus Objection to Claims or any claim set forth thereon, the Debtors may, on or after the Response Deadline, submit to the Bankruptcy Court an order substantially in the form of the proposed order annexed to the Debtors’ One Hundred Ninety-Ninth Omnibus Objection to Claims, which order may be entered with no further notice or opportunity to be heard offered to any party.

Dated: September 13, 2011  
New York, New York

/s/ Robert J. Lemons  
Robert J. Lemons

WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
New York, New York 10153  
Telephone: (212) 310-8000  
Facsimile: (212) 310-8007

Attorneys for Debtors  
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WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
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Telephone: (212) 310-8000  
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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----x  
In re : Chapter 11 Case No.  
: :  
LEHMAN BROTHERS HOLDINGS INC., *et al.* : 08-13555 (JMP)  
: :  
Debtors. : (Jointly Administered)  
-----x

**DEBTORS' ONE HUNDRED NINETY-NINTH OMNIBUS  
OBJECTION TO CLAIMS (NO LIABILITY CLAIMS)**

**THIS OBJECTION SEEKS TO DISALLOW AND EXPUNGE CERTAIN  
FILED PROOFS OF CLAIM. PARTIES RECEIVING THIS ONE  
HUNDRED NINETY-NINTH OMNIBUS OBJECTION TO CLAIMS  
SHOULD REVIEW THE OMNIBUS OBJECTION TO SEE IF THEIR  
NAME(S) AND/OR CLAIM(S) ARE LOCATED IN THE OMNIBUS  
OBJECTION AND/OR IN THE EXHIBIT ATTACHED THERETO TO  
DETERMINE WHETHER THIS OBJECTION AFFECTS THEIR  
CLAIM(S).**

**IF YOU HAVE QUESTIONS, PLEASE CONTACT  
DEBTORS' COUNSEL, ERIN ECKOLS, AT 214-746-7700.**

TO THE HONORABLE JAMES M. PECK  
UNITED STATES BANKRUPTCY JUDGE:

Lehman Brothers Holdings Inc. (“LBHI”) and its affiliated debtors, in the above-referenced chapter 11 cases, as debtors and debtors in possession (collectively, the “Debtors”), respectfully represent as follows:

**Relief Requested**

1. The Debtors file this one hundred ninety-ninth omnibus objection to claims (the “One Hundred Ninety-Ninth Omnibus Objection to Claims”), pursuant to section 502(b) of title 11 of the United States Code (the “Bankruptcy Code”), Rule 3007(d) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and this Court’s order approving procedures for the filing of omnibus objections to proofs of claim filed in these chapter 11 cases (the “Procedures Order”) [Docket No. 6664], seeking disallowance and expungement of the claims listed on Exhibit A annexed hereto.

2. The Debtors have examined the proofs of claim identified on Exhibit A (collectively, the “No Liability Claims”) and have determined that the Debtor entity that the claim was filed against has no liability for the purported obligation. Because the applicable Debtors have no liability for said claims, the Debtors request the No Liability Claims be disallowed and expunged in their entirety.

3. The Debtors reserve all their rights to object on any basis to any No Liability Claim as to which the Court does not grant the relief requested herein.

**Jurisdiction**

4. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b).

### **Background**

5. Commencing on September 15, 2008, and periodically thereafter, LBHI and certain of its subsidiaries commenced with this Court voluntary cases under chapter 11 of the Bankruptcy Code. The Debtors' chapter 11 cases have been consolidated for procedural purposes only and are being jointly administered pursuant to Bankruptcy Rule 1015(b). The Debtors are authorized to operate their businesses and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

6. On September 17, 2008, the United States Trustee for Region 2 (the "U.S. Trustee") appointed the statutory committee of unsecured creditors pursuant to section 1102 of the Bankruptcy Code (the "Creditors' Committee").

7. On January 19, 2009, the U.S. Trustee appointed Anton R. Valukas as Examiner in the above-captioned chapter 11 cases (the "Examiner") and by order, dated January 20, 2009 [Docket No. 2583], the Court approved the U.S. Trustee's appointment of the Examiner. The Examiner has filed his report pursuant to section 1106(b) of the Bankruptcy Code [Docket No. 7531].

8. On July 2, 2009, this Court entered an order setting forth the procedures and deadlines for filing proofs of claim in these chapter 11 cases (the "Bar Date Order") [Docket No. 4271]. The Bar Date Order requires, among other things, that each proof of claim "state the name and case number of the specific Debtor against which it is filed . . ." (Bar Date Order at 6.) A copy of the Bar Date Order was made publicly available at <http://www.lehman-docket.com>.

9. Claimants received notice of the Bar Date Order by mail. (See Notice of Deadlines for Filing Proofs of Claim (the "Bar Date Notice").) The Bar Date Notice was also published in The New York Times (International Edition), The Wall Street Journal (International

Edition), and The Financial Times. A list of the Debtors in these chapter 11 cases and their respective case numbers was included as part of the Bar Date Notice and the instructions to the Court-approved proof of claim form. (Bar Date Notice at Schedule A.)

10. On January 14, 2010, the Court entered the Procedures Order, which authorizes the Debtors, among other things, to file omnibus objections to no more than 500 claims at a time, on various grounds, including those set forth in Bankruptcy Rule 3007(d) and those additional grounds set forth in the Procedures Order.

**The No Liability Claims Should Be Disallowed and Expunged**

11. In their review of the claims filed on the claims register in these chapter 11 cases and maintained by the Court-appointed claims agent, the Debtors have identified the claims on Exhibit A as claims for which the asserted Debtor does not have liability. A filed proof of claim is “deemed allowed, unless a party in interest . . . objects.” 11 U.S.C. § 502(a). If an objection refuting at least one of the claim’s essential allegations is asserted, the claimant has the burden to demonstrate the validity of the claim. *See In re Oneida Ltd.*, 400 B.R. 384, 389 (Bankr. S.D.N.Y. 2009); *In re Adelphia Commc’ns Corp.*, No. 02-41729 (REG), 2007 Bankr. LEXIS 660 at \*15 (Bankr. S.D.N.Y. Feb. 20, 2007); *In re Rockefeller Ctr. Props.*, 272 B.R. 524, 539 (Bankr. S.D.N.Y. 2000). Moreover, section 502(b)(1) of the Bankruptcy Code provides, in relevant part, that a claim may not be allowed to the extent that “such claim is unenforceable against the debtor and property of the debtor, under any agreement or applicable law.” 11 U.S.C. § 502(b)(1).

12. The Debtors have reviewed the supporting documentation for the No Liability Claims and their books and records and have determined that each of the No Liability Claims is asserted against a Debtor that does not have liability. If the No Liability Claims remain on the claims register, the potential exists for recoveries by parties who do not hold valid

claims against the applicable Debtor's estate. Accordingly, the Debtors respectfully request the Court disallow and expunge the No Liability Claims listed on Exhibit A attached hereto.

**Notice**

13. No trustee has been appointed in these chapter 11 cases. The Debtors have served notice of this One Hundred Ninety-Ninth Omnibus Objection to Claims on (i) the U.S. Trustee; (ii) the attorneys for the Creditors' Committee; (iii) the Securities and Exchange Commission; (iv) the Internal Revenue Service; (v) the United States Attorney for the Southern District of New York; (vi) each claimant listed on Exhibit A; and (vii) all other parties entitled to notice in accordance with the procedures set forth in the second amended order entered on June 17, 2010 governing case management and administrative procedures for these cases [Docket No. 9635]. The Debtors submit that no other or further notice need be provided.

14. No previous request for the relief sought herein has been made by the Debtors to this or any other Court.

WHEREFORE the Debtors respectfully request that the Court grant the relief requested herein and such other and further relief as is just.

Dated: September 13, 2011  
New York, New York

/s/ Robert J. Lemons  
Robert J. Lemons

WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
New York, New York 10153  
Telephone: (212) 310-8000  
Facsimile: (212) 310-8007

Attorneys for Debtors  
and Debtors in Possession

# EXHIBIT A

IN RE: LEHMAN BROTHERS HOLDINGS INC. CASE NO: 08-13555 (JMP)

OMNIBUS OBJECTION 199: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
1	1051 PERIMETER DRIVE LLC 75 REMITTANCE DRIVE SUITE 6717 CHICAGO, IL 60675	08-13555 (JMP)	Lehman Brothers Holdings Inc.	08/03/2009	7066	\$157,361.84	No Liability Claim
2	BURGER, MARTIN S. 10 CITY PLACE, TRUMP TOWER, 29D WHITE PLAINS, NY 10601	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	01/14/2009	1702	\$50,000.00	No Liability Claim
3	BURGER, MARTIN S. 10 CITY PLACE, TRUMP TOWER, 29D WHITE PLAINS, NY 10601	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	01/14/2009	1703	\$183,307.80	No Liability Claim
4	CARTER, B. GENE 4000 BRYN MAWR DALLAS, TX 75225-7031	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/21/2009	24901	\$229,349.90	No Liability Claim
5	CARTER, B. GENE 4000 BRYN MAWR DALLAS, TX 75225-7031	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/21/2009	24902	\$166,855.00	No Liability Claim
6	DAVID SCHWARTZ REVOCABLE TRUST C/O DAVID SCHWARTZ 1255 W. DRAPER ST. CHICAGO, IL 60614-2118	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/21/2009	24455	\$91,653.90	No Liability Claim
7	DERWIN, FRANK Y & BARBARA A 216 ROCK RIDGE ROAD MILLERSVILLE, MD 21108	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/22/2009	28657	\$55,383.85	No Liability Claim
8	KOSTI, ANDREAS THERESIENGASSE 38/15 WIEN, 1180 AUSTRIA	08-13902 (JMP)	Lehman Brothers Financial Products Inc.	09/24/2009	34837	Undetermined	No Liability Claim
9	LIMAN, DOUG C/O GERI JANSEN 521 WARREN AVE. HAWTHORNE, NY 10532	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/22/2009	29531	\$100,003.85	No Liability Claim

IN RE: LEHMAN BROTHERS HOLDINGS INC. CASE NO: 08-13555 (JMP)

OMNIBUS OBJECTION 199: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
10	LINDEMANN, ADAM 375 PARK AVE, #2603 NEW YORK, NY 10152-2604	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/18/2009	19388	\$459,130.10	No Liability Claim
11	PLUZNIK, JUDITH RENGGERSTR. 19 ZURICH, 8038 SWITZERLAND	08-13899 (JMP)	Lehman Brothers Derivative Products Inc.	10/13/2009	37676	\$19,253.57	No Liability Claim
12	SHEPPARD, ERIC 180 BALCROSS DRIVE BAL HARBOUR, FL 33154-3190	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/18/2009	19201	\$229,349.90	No Liability Claim
13	SHEPPARD, ERIC 180 BALCROSS DRIVE BAL HARBOUR, FL 33154	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/18/2009	19202	\$133,484.00	No Liability Claim
14	SOBO, MICHAEL AND ELLEN 2 WASHINGTONS HEADQUARTERS DOBBS FERRY, NY 10522	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/18/2009	18148	\$133,484.00	No Liability Claim
15	SOBO, SCOTT AND HEIDI 28 NORTHDALE ROAD WHITE PLAINS, NY 10605	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/18/2009	18147	\$133,484.00	No Liability Claim
16	SURYAN FAMILY TRUST C/O FRANK SURYAN JR. 3821 SEASCAPE DRIVE HUNTINGTON BEACH, CA 92649-2523	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/18/2009	19329	\$200,226.00	No Liability Claim
17	SURYAN FAMILY TRUST C/O FRANK SURYAN JR. 3821 SEASCAPE DRIVE HUNTINGTON BEACH, CA 92649-2523	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/18/2009	19441	\$176,917.80	No Liability Claim
18	TEMPE FOUNTAINHEAD CORPORATE, LLC NICOLAS B HOSKINS - FENNEMORE CRAIG PC 3003 N. CENTRAL AVE., SUITE 2600 PHOENIX, AZ 85012	08-13555 (JMP)	Lehman Brothers Holdings Inc.	07/29/2009	6579	\$264,016.48	No Liability Claim

IN RE: LEHMAN BROTHERS HOLDINGS INC. CASE NO: 08-13555 (JMP)

OMNIBUS OBJECTION 199: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
19	THABIT FAMILY TRUST C/O CORY THABIT 309 DIAMOND AVE. BALBOA ISLAND, CA 92662-1117	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/21/2009	24700	\$127,088.00	No Liability Claim
20	THABIT FAMILY TRUST C/O CORY THABIT 309 DIAMOND AVE. BALBOA ISLAND, CA 92662-1117	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/21/2009	24701	\$91,653.90	No Liability Claim
21	THOMAS, JAMES & ROSEMARY 106 BEVERLY ROAD RYE, NY 10580-1903	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/17/2009	15182	\$166,855.00	No Liability Claim
22	THOMAS, JAMES & ROSEMARY 106 BEVERLY ROAD RYE, NY 10580-1903	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/17/2009	15206	\$91,653.90	No Liability Claim
23	WESOKY, JOSHUA 165 PERRY ST APT 3B NEW YORK, NY 10014-2387	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/22/2009	29530	\$70,002.69	No Liability Claim
24	WESTFAHL, CHRIS & EILEEN 52 EAST RIDGE ROAD STAMFORD, CT 06903-4337	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/21/2009	24130	\$91,653.90	No Liability Claim
TOTAL						\$3,422,169.38	

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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<b>In re</b>	<b>:</b>	<b>Chapter 11 Case No.</b>
	<b>:</b>	
<b>LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i></b>	<b>:</b>	<b>08-13555 (JMP)</b>
	<b>:</b>	
<b>Debtors.</b>	<b>:</b>	<b>(Jointly Administered)</b>

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**ORDER GRANTING DEBTORS' ONE HUNDRED NINETY-NINTH  
OMNIBUS OBJECTION TO CLAIMS (NO LIABILITY CLAIMS)**

Upon the one hundred ninety-ninth omnibus objection to claims, dated September 13, 2011 (the “One Hundred Ninety-Ninth Omnibus Objection to Claims”),<sup>1</sup> of Lehman Brothers Holdings Inc. and its affiliated debtors in the above-referenced chapter 11 cases, as debtors and debtors in possession (collectively, the “Debtors”), pursuant to section 502(b) of title 11 of the United States Code (the “Bankruptcy Code”), Rule 3007(d) of the Federal Rules of Bankruptcy Procedure, and this Court’s order approving procedures for the filing of omnibus objections to proofs of claim [Docket No. 6664] (the “Procedures Order”), seeking disallowance and expungement of the No Liability Claims on the grounds that the asserted Debtors have no liability for said claims, all as more fully described in the One Hundred Ninety-Ninth Omnibus Objection to Claims; and due and proper notice of the One Hundred Ninety-Ninth Omnibus Objection to Claims having been provided to (i) the U.S. Trustee; (ii) the attorneys for the Creditors’ Committee; (iii) the Securities and Exchange Commission; (iv) the Internal Revenue Service; (v) the United States Attorney for the Southern District of New York; (vi) the claimants listed on Exhibit A attached to the One Hundred Ninety-Ninth Omnibus Objection to Claims; and (vii) all other parties entitled to notice in accordance with the

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<sup>1</sup> Capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to such terms in the Debtors’ One Hundred Ninety-Ninth Omnibus Objection to Claims.

procedures set forth in the second amended order entered on June 17, 2010 governing case management and administrative procedures for these cases [Docket No. 9635]; and the Court having found and determined that the relief sought in the One Hundred Ninety-Ninth Omnibus Objection to Claims is in the best interests of the Debtors, their estates, creditors, and all parties in interest and that the legal and factual bases set forth in the One Hundred Ninety-Ninth Omnibus Objection to Claims establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the One Hundred Ninety-Ninth Omnibus Objection to Claims is granted to the extent provided herein; and it is further

ORDERED that, pursuant to section 502(b) of the Bankruptcy Code, the claims listed on Exhibit 1 annexed hereto (collectively, the “No Liability Claims”) are disallowed and expunged in their entirety with prejudice; and it is further

ORDERED that this Order supersedes all previous orders regarding the disposition of the No Liability Claims listed on Exhibit 1 annexed hereto; and it is further

ORDERED that this Order has no res judicata, estoppel, or other effect on the validity, allowance, or disallowance of, and all rights to object and defend on any basis are expressly reserved with respect to, any claim listed on Exhibit A annexed to the One Hundred Ninety-Ninth Omnibus Objection to Claims that is not listed on Exhibit 1 annexed hereto; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: \_\_\_\_\_, 2011  
New York, New York

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UNITED STATES BANKRUPTCY JUDGE